

## § 96.27

(i) *Contiguous geographic areas:* An SAS must assign geographically contiguous PALs held by the same Priority Access Licensee to the same channels in each geographic area, to the extent feasible. The SAS may temporarily reassign individual PALs held by the same Priority Access Licensee to different channels, so that geographical contiguity is temporarily not maintained, to the extent necessary to protect Incumbent Users or if necessary to perform its required functions under subpart F of this part.

(ii) [Reserved]

(2) *Channels:* Each PAL consists of a 10 megahertz channel within the frequency range set forth in § 96.11. Channels must be assigned by the SAS. Priority Access Licensees may request a particular channel or frequency range from the SAS but will not be guaranteed a particular assignment.

(i) *Contiguous channels:* An SAS must assign multiple channels held by the same Priority Access Licensee to contiguous channels in the same License Area, to the extent feasible. The SAS may temporarily reassign individual PALs to non-contiguous channels to the extent necessary to protect Incumbent Users or if necessary to perform its required functions under subpart F of this part.

(ii) [Reserved]

(3) *License term:* Each PAL has a three-year license term. Each PAL must automatically terminate at the end of its three-year term and may not be renewed. However, Priority Access Licensees may reapply for subsequent authorizations in the same License Area, subject to the limitations set forth in § 96.27. Priority Access Licensees may hold consecutive PALs up to the maximum number set forth in § 96.27.

(c) Unused PAL channels shall be made available for assignment by the SAS for General Authorized Access use.

### § 96.27 Application window.

(a) Applications for PALs will be accepted every three years, or at such other times with respect to PALs not previously licensed as determined by the Wireless Telecommunications Bureau in accordance with the rules in

## 47 CFR Ch. I (10–15 Edition)

this chapter. The application window and application process will be announced via public notice.

(b) The Wireless Telecommunications Bureau must make up to two consecutive three-year terms for any given PAL available during the first application window. During subsequent application windows, the Wireless Telecommunications Bureau shall make only one three-year license term available for any given PAL.

### § 96.29 Competitive bidding procedures.

(a) Mutually exclusive initial applications for a Priority Access License are subject to competitive bidding. The general competitive bidding procedures set forth in part 1, subpart Q of this chapter will apply unless otherwise provided in this subpart.

(b) Applications for Priority Access Licenses are mutually exclusive when they seek in total more PALs in a particular geographic area than the number of PALs available in that geographic area.

(c) When there are two or more accepted applications for PALs in a given License Area for a specific auction, the Commission will make available for assignment one less PAL than the total number of PALs in that License Area for which all applicants have applied, up to a maximum of seven.

(d) When there is only one application for initial Priority Access Licenses in a License Area that is accepted for filing for a specific auction, no PAL will be assigned for that License Area, the auction with respect to that License Area will be canceled, and the spectrum will remain accessible solely for shared GAA use until the next filing window for competitive bidding of PALs.

EFFECTIVE DATE NOTE: At 80 FR 36222, June 23, 2015, § 96.29 was added, however, this section contains information collection and recordkeeping requirements and will not become effective until approval has been given by the Office of Management and Budget.

### § 96.31 Aggregation of priority access licenses.

Priority Access Licensees may aggregate up to four PAL channels in any License Area at any given time.